

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHYLLIS J. GOTTLIEB,

Plaintiff,

File No.

- against -

1:15-cv-09568-LAP

SECURITIES AND EXCHANGE COMMISSION and FIRST
AMERICAN TITLE INSURANCE COMPANY,

Defendants.

FIRST AMERICAN TITLE INSURANCE COMPANY,

Defendant and Third-Party Plaintiff,

- against -

PHYLLIS GOTTLIEB, INTERNAL REVENUE SERVICE,
and SECURITIES AND EXCHANGE COMMISSION,

Counterclaim Defendant, Cross-Claim Defendant, and Third
Party Defendant.

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

File No.

- against -

1:98-cv-02636-LAP

GEORGE WALLACE STEWART, ET AL.,

Defendants,

- and -

CORNEL D. PLEBANI, ET AL.,

Relief Defendants.

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff-Petitioner-Judgment Creditor,

- against -

FIRST AMERICAN TITLE INSURANCE COMPANY,

Respondent-Garnishee,

- and -

ALLEN B. GOTTLIEB, ET AL.,

Defendant-Judgment Debtor,

PHYLLIS J. GOTTLIEB, ETC.,

Interested Person.

**NOTICE OF MOTION BY
SECURITIES AND EXCHANGE COMMISSION
FOR SANCTIONS AGAINST PHYLLIS GOTTLIEB**

PLEASE TAKE NOTICE that upon the Declaration of John J. Graubard and the Memorandum of Law submitted herewith the Securities and Exchange Commission (the “Commission”), defendant in 1:15-cv-09568-LAP and plaintiff in 1:98-cv-02636-LAP, will move pursuant to Rule 37 (effective as of December 1, 2015) for sanctions against Phyllis Gottlieb, plaintiff in 1:15-cv-09568-LAP and interested person / intervenor in 1:98-cv-02636-LAP, for her

failure to attend her deposition on January 20, 2016 notwithstanding the Court order requiring her to do so, and for such other and further relief as to the Court may appear just and proper.

PLEASE TAKE FURTHER NOTICE that pursuant to Local Civil Rule 6.1(a), any opposing affidavits and answering memoranda of law shall be served within seven days of service of the moving papers, and any reply affidavits and reply memoranda of law shall be served within two days after service of the answering papers.

PLEASE TAKE FURTHER NOTICE that pursuant to Chief Judge Preska's Individual Practices two courtesy copies of all filings, marked as such, must be submitted to Chambers as soon as practicable after filing.

Dated: March 2, 2016
New York, N.Y.

Respectfully submitted,

/s/ John J. Graubard
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/s/ Nancy E. Tyler
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